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**BEFORE THE
RESPIRATORY CARE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation Against:

Case No. R-2022

DAVID RICHARD CAMPBELL

2503 Joshua Hills Drive
Palmdale, CA 93550

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

Respiratory Care Practitioner's License No. 6915

Respondent.

IT IS HEREBY STIPULATED AND AGREED by and between the parties in this proceeding that the following matters are true:

PARTIES

1. Stephanie Nunez (Complainant) is the Executive Officer of the Respiratory Care Board of California. She brought this action solely in her official capacity and is represented in this matter by Bill Lockyer, Attorney General of the State of California, by Cindy Lopez, Deputy Attorney General.

2. David Richard Campbell (Respondent) is represented in this proceeding by attorney Mr. Tyson Beers, whose address is 41319 12th Street West, Suite 101, Palmdale, California, 93551.

3. On or about July 19, 1985, the Respiratory Care Board of California issued Respiratory Care Practitioner's License No. 6915 to David Richard Campbell (Respondent). The

1 License was in full force and effect at all times relevant to the charges brought in Accusation No.
2 R-2022 and will expire on May 31, 2007, unless renewed.

3 JURISDICTION

4 4. Accusation No. R-2022 was filed before the Respiratory Care Board
5 (Board), Department of Consumer Affairs, and is currently pending against Respondent. The
6 Accusation and all other statutorily required documents were properly served on Respondent on
7 May 8, 2006. A copy of Accusation No. R-2022 is attached as exhibit A and incorporated herein
8 by reference.

9 ADVISEMENT AND WAIVERS

10 5. Respondent has carefully read, fully discussed with counsel, and
11 understands the charges and allegations in Accusation No. R-2022. Respondent also has carefully
12 read, fully discussed with counsel, and understands the effects of this Stipulated Surrender of
13 License and Order.

14 6. Respondent is fully aware of his legal rights in this matter, including the
15 right to a hearing on the charges and allegations in the Accusation; the right to be represented by
16 counsel, at his own expense; the right to confront and cross-examine the witnesses against him;
17 the right to present evidence and to testify on his own behalf; the right to the issuance of
18 subpoenas to compel the attendance of witnesses and the production of documents; the right to
19 reconsideration and court review of an adverse decision; and all other rights accorded by the
20 California Administrative Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up
22 each and every right set forth above.

23 CULPABILITY

24 8. Respondent understands that the charges and allegations in Accusation No.
25 R-2022, if proven at a hearing, constitute cause for imposing discipline upon his Respiratory Care
26 Practitioner's License.

27 9. For the purpose of resolving the Accusation without the expense and
28 uncertainty of further proceedings, Respondent agrees that, at a hearing, Complainant could

1 establish a factual basis for the charges in the Accusation and that those charges constitute cause
2 for discipline. Respondent hereby gives up his right to contest that cause for discipline exists
3 based on those charges.

4 10. Respondent understands that by signing this stipulation he enables the
5 Board to issue an order accepting the surrender of his Respiratory Care Practitioner's License
6 without further process.

7 RESERVATION

8 11. The admissions made by Respondent herein are only for the purposes of
9 this proceeding, or any other proceedings in which the Respiratory Care Board or other
10 professional licensing agency is involved, and shall not be admissible in any other criminal or civil
11 proceeding.

12 CONTINGENCY

13 12. This stipulation shall be subject to approval by the Respiratory Care Board.
14 Respondent understands and agrees that counsel for Complainant and the staff of the Respiratory
15 Care Board of California may communicate directly with the Board regarding this stipulation and
16 surrender, without notice to or participation by Respondent or his counsel. By signing the
17 stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek
18 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
19 to adopt this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary
20 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
21 action between the parties, and the Board shall not be disqualified from further action by having
22 considered this matter.

23 13. The parties understand and agree that facsimile copies of this Stipulated
24 Surrender of License and Order, including facsimile signatures thereto, shall have the same force
25 and effect as the originals.

26 14. In consideration of the foregoing admissions and stipulations, the parties
27 agree that the (Board) may, without further notice or formal proceeding, issue and enter the
28 following Order:

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15. The surrender of Respondent's Respiratory Care Practitioner's License and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.

17. Respondent shall cause to be delivered to the Board both his wall certificate and pocket license on or before the effective date of the Decision and Order.

19. Respondent fully understands and agrees that if he ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in Accusation No. R-2022 shall be deemed to be true, correct and admitted by Respondent when the Board determines whether to grant or deny the petition.

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, Mr. Beers. I understand the stipulation and the effect it will have on my Respiratory Care Practitioner's License. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the

1 Decision and Order of the Respiratory Care Board.

2 DATED: June 29, 2006.

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4 Original signed by:
5 David Richard Campbell
Respondent

6 I have read and fully discussed with Respondent David Richard Campbell the
7 terms and conditions and other matters contained in this Stipulated Surrender of License and
8 Order. I approve its form and content.

9 DATED: June 29, 2006.

10
11 Original signed by:
12 MR. BEERS
Attorney for Respondent

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14 ENDORSEMENT

15 The foregoing Stipulated Surrender of License and Order is hereby respectfully
16 submitted for consideration by the Respiratory Care Board of the Department of Consumer
17 Affairs.

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19 DATED: July 21, 2006.

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21 BILL LOCKYER, Attorney General
22 of the State of California

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24 Original signed by:
25 CINDY LOPEZ
Deputy Attorney General
26 Attorneys for Complainant
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DEPARTMENT OF CONSUMER AFFAIRS
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In the Matter of the Accusation Against:

Case No. R-2022

DAVID RICHARD CAMPBELL
2503 Joshua Hills Drive
Palmdale, CA 93550

Respiratory Care Practitioner's License No. 6915

Respondent.

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the
Respiratory Care Board, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on September 15, 2006.

It is so ORDERED September 6, 2006.

Original signed by:

LARRY L. RENNER, BS, RRT, RCP, RPFT
PRESIDENT, RESPIRATORY CARE BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA